

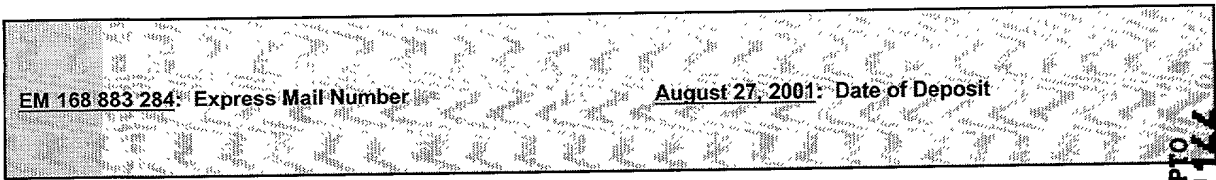
08-28-01

A

JC962 U.S. PTO  
08/27/01

Please type a plus sign (+) inside this box ☐

Attorney Docket P1105R1D1C1  
PATENT



JC973 U.S. PTO  
09/06/60  
08/27/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOX PATENT APPLICATION  
Assistant Commissioner of Patents  
Washington, D.C. 20231

**NON-PROVISIONAL APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)**

Transmitted herewith for filing is a non-provisional patent application:

Inventor(s) (or Application "Identifier"):

**Gregory S. Blank  
Daljit S. Narindray  
Gerardo A. Zapata**

Title: **PROTEIN RECOVERY**

**1. Type of Application**

- ☐ This application is for an original, non-provisional application.
- ☐ This is a non-provisional application claiming priority to provisional application no. \_\_, filed \_\_, the entire disclosure of which is hereby incorporated by reference.
- ☒ This is a ☐ continuation-in-part ☒ continuation ☐ divisional application claiming priority under 35 USC § 120 to co-pending application Serial Number 09/460,587, filed December 14, 1999, which is a divisional of application Serial Number 09/097,309, filed June 12, 1998, now U.S. Patent No. 6,121,428, which claims the benefit under 35 USC § 119(e) to provisional application number 60/050,951 filed June 13, 1997, the disclosures of which are hereby incorporated by reference.

**2. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b) (Non-provisional )**

- 34 pages of specification
- 2 pages of claims
- 1 page(s) of abstract
- 8 sheet(s) of drawings
- ☒ formal ☐ informal

08/30/2001 08:00:00 070530 00000000  
08/30/2001 08:00:00 070530 00000000  
01 00:00 710.00 CH

**3. Declaration or Oath**

*(for new and CIP applications; also for Cont./Div. where inventor(s) are being added)*  
\_\_\_ An executed declaration of the inventor(s) ☐ is enclosed ☐ will follow.

*(for Cont./Div. where inventorship is the same or inventor(s) being deleted)*  
\_x\_ A copy of the executed declaration/oath filed in the prior application is enclosed (37 CFR 1.63(d)).

*(for Cont./Div. where inventor(s) being deleted)*  
\_\_\_ A signed statement is attached deleting inventor(s) named in the prior application (see 37 CFR 1.63(d)(2) and 1.33(b)).

**4. Assignment**

*(for new and CIP applications)*  
\_\_\_ An Assignment of the invention to GENENTECH, INC. ☐ is enclosed with attached Recordation Form Cover Sheet ☐ will follow.

*(for cont./div.)*  
\_x\_ The prior application is assigned of record to Genentech, Inc.

**5. Amendments (for continuation and divisional applications)**

\_x\_ Cancel in this application original claims 1-12, 14-19 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

\_x\_ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

**Relate Back -- 35 U.S.C. 120 or 35 U.S.C. 119**

\_\_\_ Amend the specification by inserting before the first line the sentence:

--This is a

\_\_\_ non-provisional application  
\_\_\_ continuation  
\_\_\_ divisional  
\_\_\_ continuation-in-part

of co-pending application(s)

\_\_\_ Serial No. \_\_\_\_\_ filed on \_\_\_\_\_, which application(s) is(are) incorporated herein by reference and to which application(s) priority is claimed under 35 USC §120. --  
\_\_\_ International Application \_ filed on \_ which designated the U.S., which application(s) is(are)

incorporated herein by reference and to which application(s) priority is claimed under 35 USC §120.--

\_\_\_\_\_ provisional application No. \_ filed \_\_, the entire disclosure of which is hereby incorporated by reference and to which application(s) priority is claimed under 35 USC §119.--.

**6. Fee Calculation (37 CFR 1.16)**

The fee has been calculated as follows:

CLAIMS FOR FEE CALCULATION					
Number Filed		Number Extra		Rate	Basic Fee 37 CFR 1.16(a)
					\$710.00
Total Claims	1	- 20 =	0	X \$18.00	\$0.00
Independent Claims	1	- 3 =	0	X \$80.00	\$0.00
_____ Multiple dependent claim(s), if any				+ \$270.00	\$0.00
Filing Fee Calculation					\$710.00

**7. Method of Payment of Fees**

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$710.00. **A duplicate copy of this transmittal is enclosed.**

**8. Authorization to Charge Additional Fees**

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. **A duplicate copy of this sheet is enclosed.**

**9. Additional Papers Enclosed**

- ☐ Information Disclosure Statement (37 CFR §1.98) w/ PTO-1449 and citations  
☒ Submission of "Sequence Listing" and Letter and Request to Use Computer Readable Sequence.  
☐ A new Power of Attorney or authorization of agent.  
☐ Other:

**10. Maintenance of Copendency of Prior Application (for continuation and divisional applications)**

*[This item **must** be completed and the necessary papers filed in the prior application if the period set in the prior application has run]*

- \_\_\_\_\_ A petition, fee and/or response has been filed to extend the term in the pending prior application until  
 \_\_\_\_\_ A copy of the petition for extension of time in the **prior** application is attached.

**11. Correspondence Address:**

X Address all future communications to:

Attn: Lee K. Tan, Ph.D.

Respectfully submitted,  
GENENTECH, INC.

Date: August 27, 2001

By: Lee Tan  
Lee K. Tan, Ph.D.  
Reg. No. 39,447  
Telephone No. (650) 225-4462



PATENT TRADEMARK OFFICE

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of  Gregory S. Blank et al.  Serial No.: To Be Assigned  Filed: August 27, 2001  For: PROTEIN RECOVERY	Group Art Unit: To Be Assigned  Examiner: To Be Assigned  <b>Express Mail Label No. EM 168 883 284 US</b>
--	---

Letter and REQUEST TO USE COMPUTER-READABLE SEQUENCE LISTINGUNDER 37 CFR §1.821(e)

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

Applicants respectfully request that the compliant computer-readable Sequence Listing filed in application Serial No. 09/097,309 be used as the computer-readable Sequence Listing for the present, above-identified application.

The paper copy of the Sequence Listing filed in the present application is identical to the computer-readable copy of the Sequence Listing filed in the application Serial No. 09/097,309.

Respectfully submitted,  
GENENTECH, INC.

Date: August 27, 2001

By: Lee Tan  
Lee K. Tan, Ph.D.  
Reg. No. 39,447  
Telephone No. (650) 225-4462



09157

PATENT TRADEMARK OFFICE